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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

TELEBRANDS CORPORATION,

Plaintiff,

Civil Action No. 12-cv-06671-FSH-JBC

v.

NATIONAL EXPRESS, INC., et al.,

Defendants.

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BLUE GENTIAN, LLC,

Plaintiff,

Civil Action No. 13-cv-00481-FSH-JBC

v.

TELEBRANDS CORPORATION,

Defendant.

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BLUE GENTIAN, LLC, et al.,

Plaintiffs,

Civil Action No. 13-cv-04627-FSH-JBC

v.

TELEBRANDS CORPORATION, et al.,

Defendants.

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BLUE GENTIAN, LLC, et al.,

Plaintiffs,

Civil Action No. 13-cv-01758-FSH-JBC

v.

TRISTAR PRODUCTS, INC.,

Defendant.

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BLUE GENTIAN, LLC, et al.,

Plaintiffs,

Civil Action No. 13-cv-07099-FSH-JBC

v.

TRISTAR PRODUCTS, INC., et al.,

Defendants.

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**CERTIFICATION OF BRIAN M. TAILLON  
IN SUPPORT OF DISCOVERY CONFIDENTIALITY ORDER**

BRIAN M. TAILLON, of full age, hereby certifies as follow:

1. I am an attorney with the law firm of McHale & Slavin, P.A., which represents Blue Gentian, LLC and National Express, Inc. in the above-referenced actions. I am one of the attorneys responsible for handling these actions and, as such, I have personal knowledge of certain of the matters set forth herein, and as to other matters, I rely upon information and belief.

2. Pursuant to Local Civil Rule 5.3 of the United States District Court for the District of New Jersey, I file this Certification in support of the proposed Discovery Confidentiality Order, a copy of which is submitted herewith. Counsel of record for all parties have reviewed and consented to the proposed Discovery Confidentiality Order.

3. The parties have stipulated and agreed that good cause exists for entry of the

proposed Discovery Confidentiality Order. Plaintiff(s) and Defendant(s) in each of the above-captioned actions are competitors in the marketplace for expandable and contractible garden hoses. Certain documents, information and tangible objects, which will be exchanged between the parties and will need to be filed with the Court as these cases progress, contain confidential and private operations, research, technical or developmental information, processes, sensitive financial information, and/or commercial or business information relating to same, the public disclosure of which would cause injury to the parties and other entities with which the parties conduct business. These are confidential, non-public documents.

4. The above-captioned actions arise from the alleged infringement of three United States patents. Confidential and private information that will be discoverable and exchanged in connection with this matter include the identity of, and communications with, manufacturers, manufacturing materials and technical processes, cost, pricing and sales information, communications with customers, communications with distributors and licensee, and production, business and marketing plans. The disclosure of such confidential and private information will impinge upon the privacy interests and competitiveness of the parties and the companies with which they conduct business.

5. In connection with the foregoing concerns, the parties have agreed, subject to Court approval, to enter into the proposed Discovery Confidentiality Order.

6. Under the proposed Discovery Confidentiality Order, materials will be marked as confidential only if they must be held confidential to protect any of the above business or commercial interests.

7. The proposed Discovery Confidentiality Order is identical to an Order previously entered by the Court in the above-captioned 12-6671 and 13-481 actions on March 26, 2013, and in the above-captioned 13-1758 action by virtue of the Amended Pretrial Scheduling Order entered on April 9, 2013. The parties have agreed to be bound by the same terms in the above-captioned 13-4627 and 13-7099 actions.

8. These cases do not involve any governmental entity or public official.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: December 23, 2013



BRIAN M. TAILLON